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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/809,669	03/15/2001	Jean Paul Van Hissenhoven	6483-010	5415

22440 7590 07/01/2004

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EXAMINER	
ARSHAD, UMAR	

ART UNIT	PAPER NUMBER
2174	

DATE MAILED: 07/01/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/809,669	HISSENHOVEN ET AL.	
	Examiner	Art Unit	
	Umar Arshad	2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *12 April 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-31* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-31* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

This communication is responsive to Amendment A, filed 4/12/2004.

Claims 1 – 31 are pending in this application. Claims 1, 10 and 27 are independent claims. In the Amendment A claims 1, 7, 10, 13 and 27 were amended. This action is made Final.

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Oath/Declaration

The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02.

The oath or declaration is defective because:

The date is missing in the inventor's signature for Jean Paul Van Hissenhoven.

Claim Rejections - 35 USC § 103

Claims 1 – 6, 10 – 12, and 19 – 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baker, U.S. Patent No. 6,002,401 in view of Brewer et al., U.S. Patent no. 5,347,628.

As per claim 1, Baker teaches a system adapted to provide data exchange or access for a user, said system comprising:

a data access device having a pointing device; and

a screen coupled to said data access device and arranged to display an image of an object, said object including several object elements (see Baker, figure 1a, items 12, 18, and 20 and column 12, lines 44 - 59), each element being associated with a particular type of document (see column 12, lines 57 – 63), said image having image elements depicting said object elements (see Baker, column 12, lines 44 – 59), said data access device being adapted to obtain a digital file corresponding the document associated with one of the object element when said pointing device points to the image element of said object element (see Baker, column 10, lines 1 – 5).

Baker does not teach displaying an image of an object normally used for storing documents. Brewer teaches displaying an image of an object normally used for storing documents (see Brewer, figure 11, items 15 and 25). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of

Brewer with the method of Baker in order to provide a more intuitive user interface that does not require extensive training.

As per claim 2, which is dependent on claim 1, Baker and Brewer teach the system of claim 1 (see rejection above). Baker further teaches the system wherein said image includes a display area, and wherein said data access device is adapted to show a message in said display area (see Baker, figure 1a, item 18, and column 13, lines 2 – 9).

As per claim 3, which is dependent on claim 1, Baker and Brewer teach the system of claim 1 (see rejection above). Baker further teaches the system wherein said data access device is adapted to show a message in said display area, said message identifying the information associated with a particular image element (see Baker, figure 1a, item 18, and column 13, lines 2 – 9).

As per claim 4, which is dependent on claim 1, Baker and Brewer teach the system of claim 1 (see rejection above). Baker further teaches the system wherein one of said image elements is a moving image element (see Baker, column 9, lines 40 – 54).

As per claim 5, which is dependent on claim 4, Baker and Brewer teach the system of claim 4 (see rejection above). Baker further teaches the system wherein said

one image element is set into motion when selected by said pointing device (see Baker, column 10, lines 1 – 5).

As per claim 6, which is dependent on claim 5, Baker and Brewer teach the system of claim 5 (see rejection above). Baker further teaches the system wherein said one image element is adapted to show a display area for messages (see Baker, figure 1a, item 18, and column 13, lines 2 – 9).

As per claim 10, Baker teaches a method for providing information to a user on a data access device, said method comprising:

generating an image on said data access device of an object, said image being composed of image elements, said object being composed of object elements associated with different types of information, each of said image elements corresponding to one of said object elements to suggest to the user access to the different types of information (see Baker, column 9, lines 59 – 63 and column 10, lines 23 – 54);

selecting one of said image elements by the user (see Baker, column 10, lines 23 – 35);

retrieving the information associated with the corresponding object element by said data access device (see Baker, column 10, lines 23 – 35);

providing the retrieved information associated with the selected one image element (see Baker, column 10, lines 23 – 35).

Baker does not teach generating an image on said data access device of an object normally used for storing documents. Brewer teaches generating an image on said data access device of an object normally used for storing documents (see Brewer, figure 11, items 15 and 25). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Brewer with the method of Baker in order to provide a more intuitive user interface that does not require extensive training.

As per claim 11, which is dependent on claim 10, Baker and Brewer teach the method of claim 10 (see rejection above). Baker further teaches the method comprising generating messages on said screen (see Baker, figure 1a, item 18, and column 13, lines 2 – 9).

As per claim 12, which is dependent on claim 10, Baker and Brewer teach the method of claim 10 (see rejection above). Baker et al. further teaches the method comprising generating messages identifying the information associated with said image elements (see Baker, figure 1a, item 18, and column 13, lines 2 – 9).

As per claim 19, which is dependent on claim 10, Baker and Brewer teach the method of claim 10 (see rejection above). Baker further teaches the method comprising generating a second image in response to the selection of said one image element (see Baker, Appendix B; when the ladder icon is selected, the current directory changes to

the parent directory of the current directory, and a second image corresponding to the parent directory is loaded).

As per claim 20, which is dependent on claim 19, Baker and Brewer teach the method of claim 19 (see rejection above). Baker further teaches the method wherein the information corresponding to said one image element includes several categories, said second image includes a plurality of indicia corresponding to said categories (see Baker, column 12, lines 44 – 67 and Appendix B; it is inherent that the ladder image corresponds to a parent directory, and when the image for the new directory is loaded, this new image includes icons corresponding to the contents of the directory).

As per claim 21, which is dependent on claim 20, Baker and Brewer teach the method of claim 20 (see rejection above). Baker further teaches the method wherein said categories include generic categories associated with any user and user-specific categories associated with specific users (column 11, lines 51 – 67 and column 13, lines 58 –64; it is inherent that icons and relationships not defined by the user will have generic associations).

As per claim 22, which is dependent on claim 20, Baker and Brewer teach the method of claim 20 (see rejection above). Baker further teaches the method wherein said information is provided when one of said indicia is selected (see column 9, lines 27

– 30 and column 10, lines 1 - 5; it is inherent that an icon represents information that is displayed when the icon is selected).

As per claim 23, which is dependent on claim 20, Baker and Brewer teach the method of claim 20 (see rejection above). Baker further teaches the method wherein said indicia includes text descriptive of a corresponding category (see Baker, column 13, lines 2 – 9).

As per claim 24, which is dependent on claim 20, Baker and Brewer teach the method of claim 20 (see rejection above). Baker further teaches the method wherein said second image includes a display zone, the information being shown in said display zone (see Baker, figure 1a and Appendix B; it is inherent that when a directory is loaded, a new image corresponding to the directory is displayed on the screen and this image is displayed in an area of the screen. The office interprets this area as a display zone).

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Baker, U.S. Patent No. 6,002,402 in view of Brewer et al., U.S. Patent no. 5,347,628, further in view of Clark et al., U.S. Patent No. 5,995,101.

As per claim 7, which is dependent on claim 6, Baker and Brewer teach the system of claim 6 (see rejection above). Baker and Brewer do not teach the system wherein said display area becomes visible when said one image element is selected by said pointing device. Clark et al. teach the system wherein a display element becomes visible when an image element is selected by a pointing device (see Clark et al., column 1, lines 44 - 63). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the system of Clark et al. with the system of Baker and Brewer in order to allow users to obtain detailed information about the function associated with a control area, such as an icon.

Claims 8, 13 – 18, and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baker, U.S. Patent No. 6,002,401 in view of Brewer et al., U.S. Patent no. 5,347,628, further in view of Berstis, U.S. Patent No. 6,243,091.

As per claim 8, which is dependent on claim 1, Baker and Brewer teach the system of claim 1 (see rejection above). Baker and Brewer do not teach the system comprising an Internet connection and wherein said data access device is coupled to said Internet connection and is adapted to provide data exchange through said Internet connection with other locations. Berstis teaches a data access device with an Internet connection and wherein said data access device is coupled to said Internet connection and is adapted to provide data exchange through said Internet connection with other

locations (see Berstis, column 2, lines 28 – 37; it is inherent that the device is able to provide data exchange through said Internet connection because the device allows for browsing documents on the Internet). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the system as taught by Berstis with the system of Baker and Brewer in order to allow for navigation of a distributed data set such as the Internet.

As per claim 13, which is dependent on claim 10, Baker, Brewer and Berstis teach the system of claim 8 (see rejection above). Baker further teaches the system comprising activating said one image element to generate a moving picture (see Baker, column 10, lines 1 – 5).

As per claim 14, which is dependent on claim 13, Baker, Brewer and Berstis teach the system of claim 13 (see rejection above). Baker further teaches the system comprising activating said one image element with said pointing device (see Baker, column 10, lines 1 – 5).

As per claim 15, which is dependent on claim 14, Baker and Berstis teach the system of claim 14 (see rejection above). Baker further teaches the system comprising generating a message when said one image element is selected by said pointing device (see Baker, column 9, lines 40 – 63 and column 10, lines 23 -35; the office interprets

movement of the animated character as a message because it communicates an acknowledgement of a task requested by a user).

As per claim 16, which is dependent on claim 15, Baker and Berstis teach the method of claim 15 (see rejection above). Baker further teaches the system wherein said message identifies information associated with said one image element (see Baker, column 9, lines 59 – 63).

As per claim 17, which is dependent on claim 13, Baker and Berstis teach the method of claim 13 (see rejection above). Baker further teaches the system wherein said moving image corresponds to the motion of the respective object represented by the one image element (see Baker, column 10, lines 1 – 5).

As per claim 18, which is dependent on claim 17, Baker and Berstis teach the method of claim 17 (see rejection above). Baker further teaches the system comprising generating sounds associated with the motion of the respective object (see Baker, column 9, lines 55 – 58).

As per claim 25, which is dependent on claim 10, Baker and Brewer teach the method of claim 10 (see rejection above). Baker and Brewer do not teach the method wherein said data access device is associated with an Internet connection, further comprising access information over the Internet and downloading said information for

display to the user. Berstis teaches a method wherein a data access device is associated with an Internet connection, further comprising access information over the Internet and downloading said information for display to the user (see Berstis, column 2, lines 28 – 37; it is inherent that the device is able to access and download information over the Internet ad display the information to the user because the device allows for browsing documents on the Internet). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the system as taught by Berstis with the system of Baker and Brewer in order to allow for navigation of a distributed data set such as the Internet.

Claims 9 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baker, U.S. Patent No. 6,002,401 in view of Brewer et al., U.S. Patent no. 5,347,628, further in view of Naughton et al., U.S. Patent No. 5,886,697.

As per claim 9, which is dependent on claim 1, Baker and Brewer teach the system of claim 1 (see rejection above). Baker and Brewer do not teach the system wherein in response to a command selection, said data access device is adapted to generate commands to control remote devices. Naughton et al. teaches a system wherein in response to a command selection, a data access device is adapted to generate commands to control remote devices (see Naughton et al., column 3, lines 64 – 67 and column 4, lines 1 – 10). It would have been obvious to one of ordinary skill in

the art at the time of the invention to incorporate the system as taught by Naughton et al. with the system of Baker and Brewer in order to provide a graphical user interface and a method and apparatus for controlling remote devices.

As per claim 26, it is of similar scope to claim 9, and is rejected under the same rationale as claim 9 (see rejection above).

Claims 27 – 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Berstis, U.S. Patent No. 6,243,091 in view of Brewer et al., U.S. Patent no. 5,347,628.

As per claim 27, Berstis teaches a user friendly Internet interface comprising:

a web browser (see Berstis, column 5, lines 5 – 17);

a software that generates for the user an image of a friendly environment formed of objects and composed of image elements, each image element corresponding to one of said objects, said image elements being selectable by the user to obtain information (see Berstis, column 7, lines 27 – 35; it is inherent that the current page is the page represented by the icon selected by the user); and

a database of URL addresses (see Berstis, column 5, lines 5 – 17; the office interprets a stored listing of URLs to be a database of URLs) and accessible to said web browser in association with the selection of one of said image elements (see Berstis,

column 9, lines 11 – 22; it is inherent that the web site selected by the user is displayed in a web browser).

Berstis does not teach including a desk with drawers, each drawer being designated to a particular type of information. Brewer teaches including a desk with drawers, each drawer being designated to a particular type of information (see Brewer, figure 1, items 15 and 17 and column 4, lines 3 – 7). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Brewer with the method of Berstis in order to provide a more intuitive user interface that does not require extensive training.

As per claim 28, which is dependent on claim 27, Berstis and Brewer teach the interface of claim 27 (see rejection above).

Berstis further teaches the interface wherein said software is adapted to generate a second image in response to a selection of one of said image elements, said second image including a plurality of indicia, each indicia identifying a category of the information associated with said one image element (see Berstis, column 5, lines 36 – 46; the office interprets the global history window as a second image, with the icons representing previously visited websites as indicia identifying websites).

As per claim 29, which is dependent on claim 27, Berstis and Brewer teach the interface of claim 27 (see rejection above). Berstis further teaches the interface wherein

each of said indicia is associated with at least one of said URL addresses (see Berstis, column 6, lines 63 – 65).

As per claim 30, which is dependent on claim 27, Berstis and Brewer teach the interface of claim 27 (see rejection above). Berstis further teaches the interface wherein said second image includes a display zone, wherein information is provided in said display zone (see Berstis, column 7, lines 27 – 35).

As per claim 31, which is dependent on claim 27, Berstis and Brewer teach the interface of claim 27 (see rejection above). Berstis further teaches the interface wherein said database is stored by a remote data server (see Berstis, column 2, lines 28 – 32; it is inherent that the database contains URLs which relate to documents in a distributed database because the URLS point to documents in the internet).

Response to Arguments

Applicant's arguments with respect to claims 1, 10 and 27 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Umar Arshad whose telephone number is (703) 305-0329. The examiner can normally be reached on Monday - Friday, 9am - 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L Kincaid can be reached on (703) 308-0640. The fax phone

number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

UA

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